

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JENNY CHONG,

Plaintiff,

v.

CAROLYN W. COLVIN, Commissioner of  
Social Security,

Defendant.

Case No. 2:15-CV-01172-JCC-BAT

**REPORT AND  
RECOMMENDATION**

Plaintiff Jenny Chong appeals the denial of her applications for disability benefits. Dkt. 3. The parties stipulate the case should be reversed and remanded. Dkt. 69. The Court has considered the stipulation and the record and recommends the case be **REVERSED** and **REMANDED** under sentence four of 42 U.S.C. § 405(g).

On remand, the Appeals Council will determine the appropriate administrative action to be taken. If the Appeals Council determines that a favorable decision cannot be issued based on the evidence of record, it will instruct the Administrative Law Judge to further evaluate plaintiff's mental impairments at steps 2 and 3; obtain medical expert evidence to assist in evaluating plaintiff's mental impairments; evaluate and assign weight to the medical opinions contained in the new evidence that relate back to the period at issue, including the opinions from

1 examining source Wayne Dees, Psy.D., and treating source Jonathan Wells, M.D.; further  
2 evaluate plaintiff's residual functional capacity; further evaluate plaintiff's subjective symptoms;  
3 and if necessary obtain supplemental vocational expert evidence. If plaintiff is found to be  
4 disabled, the Administrative Law Judge will determine whether alcohol abuse is a contributing  
5 factor material to the finding of disability pursuant to Social Security Ruling 13-2p.

6 The parties further stipulate that, upon proper request to the Court, plaintiff may be  
7 entitled to reasonable attorney fees, expenses, and costs pursuant to 28 U.S.C. § 2412 *et seq.*

8 Because the parties have stipulated the case be remanded as set forth above, the Court  
9 recommends that United States District Judge John C. Coughenour immediately approve this  
10 Report and Recommendation and order the case **REVERSED** and **REMANDED** for further  
11 administrative proceedings as set forth above. A proposed order accompanies this Report and  
12 Recommendation.

13 DATED this 26th day of August, 2016.

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16 BRIAN A. TSUCHIDA  
17 United States Magistrate Judge  
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